

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

John Foster, )  
                  )  
Plaintiff,     )       COMPLAINT  
v.              )  
                  )  
United States of America     )  
                  )  
                  )  
Defendant.     )

**PRELIMINARY STATEMENT**

1. This is an action pursuant to the Federal Torts Claims Act. The plaintiff seeks compensatory damages, both affirmative and equitable relief, an award of costs, interest, attorneys' fees, and all other and further relief as this Court deems just and equitable.

**JURISDICTION**

2. This Court's jurisdiction is invoked pursuant to the Federal Tort Claims Act, 28 U.S.C 1334.

**THE PARTIES**

3. The plaintiff, John Foster, presently resides at 1490 Elm Street in Manchester, New Hampshire 03101.

4. The defendant, United States of America, is liable for the tortious actions and inactions of the agents and employees of the Bureau of Prisons ("BOP") of the Department of Justice.

**FACTUAL ALLEGATIONS**

5. The plaintiff John Foster, at all times relevant, was an inmate at FCI Danbury and was held by the BOP beyond his release date.

6. Mr. Foster was due to be released from BOP custody in February of 2022.

7. Due to the negligence of agents and/or employees of the BOP, Mr. Foster was not released until August of 2022.

8. Mr. Foster filed a timely Form 95. On December 19, 2023, Northeast Regional Counsel of the BOP denied Mr. Foster's claim No.: TRT-NER-2024-01563.

9. This action is filed less than 6 months from December 19, 2023.

10. Mr. Foster was damaged in that he was incarcerated without legal cause for approximately six months.

WHEREFORE, the plaintiff demands the following relief against defendant, United States of America;

- A. Compensatory damages for past, present, and future damages including but not limited to, pain and suffering, loss of liberty and enjoyment of life, together with interest and costs as provided by law.
- B. Such further relief as this Court may deem proper and just, including injunctive and declaratory relief as may be required in the interests of justice.

Dated: March 27, 2024

By: /s/ Lawrence A. Vogelman  
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